

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- CONFIDENTIALITY OF  
HEALTHCARE COMMUNICATIONS AND INFORMATION ACT

Introduced By: Senators Vargas, Urso, Lauria, Murray, Gu, and DiMario

Date Introduced: March 04, 2026

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 5-37.3 of the General Laws entitled "Confidentiality of Healthcare  
2 Communications and Information Act" is hereby amended by adding thereto the following section:

3 **5-37.3-13. Electronic transmission of medical notes and records.**

4 (a) A healthcare provider shall, upon the written request of a patient or the patient's  
5 authorized representative, furnish medical notes or other medical records in any readily producible  
6 form or format consistent with state and federal law.

7 (b) Permissible formats shall include, but not be limited to, paper copies, facsimile  
8 transmission, secure electronic transmission, patient portal access, and electronic mail.

9 (c) A provider may transmit a medical note or medical record by electronic mail, including  
10 unencrypted email, when:

11 (1) The patient provides a written authorization identifying the specific email address for  
12 delivery;

13 (2) The authorization acknowledges the potential privacy and security risks of email  
14 transmission; and

15 (3) The patient consents to receive the information by email despite such risks.

16 (d) The provider shall retain the patient's authorization in the medical record.

17 (e) A provider shall not be required to transmit records by email if unable to do so in a  
18 manner consistent with applicable federal law; provided an alternative lawful method is offered.

1           (f) Nothing in this section shall be construed to limit rights under HIPAA or to require  
2 encryption where a patient has expressly requested unencrypted email and acknowledged the risks.

3           (g) The department of health shall promulgate rules, regulations, or guidance, including  
4 model authorization forms, to implement this section.

5           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would allow patients to authorize providers to email medical notes or records,  
2           require written consent acknowledging risks, and ensure compliance with HIPAA while expanding  
3           delivery options beyond fax or in-person pickup.

4           This act would take effect upon passage.

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